



CITY COUNCIL

AGENDA REQUEST

AGENDA OF:	12/18/07	AGENDA REQUEST NO:	III A
INITIATED BY:	RUTH LOHMER, PLANNER II	RESPONSIBLE DEPARTMENT:	PLANNING
PRESENTED BY:	RUTH LOHMER, PLANNER II	DEPARTMENT HEAD:	SABINE SOMERS-KUENZEL, AICP, DIRECTOR OF PLANNING <i>AK</i>
		ADDITIONAL DEPARTMENT HEAD (S):	N/A
SUBJECT / PROCEEDING:	CONDITIONAL USE PERMIT (CUP) TO OPERATE A SHORT-TERM REHABILITATION HOSPITAL IN THE BUSINESS OFFICE (B-O) DISTRICT IN LAKE POINTE TRACT C REPLAT, RESERVE D SECOND READING OF ORDINANCE NO. 1659		
EXHIBITS:	STAFF REPORT, VICINITY MAP, AERIAL, SITE PHOTOS, PROPOSED ORDINANCE NO. 1659, CORRESPONDENCE FROM APPLICANT, PUBLIC HEARING NOTICE		
CLEARANCES		APPROVAL	
LEGAL:	MEREDITH WILGANOWSKI, <i>Ynew</i> ASSISTANT CITY ATTORNEY	EXECUTIVE DIRECTOR:	JIM CALLAWAY <i>[Signature]</i> COMMUNITY DEVELOPMENT
PURCHASING:	N/A	ASST. CITY MANAGER:	N/A
BUDGET:	N/A	CITY MANAGER:	ALLEN BOGARD <i>Kg</i> FOR AB
BUDGET			
EXPENDITURE REQUIRED: \$		N/A	
AMOUNT BUDGETED/REALLOCATION: \$		N/A	
ADDITIONAL APPROPRIATION: \$		N/A	
RECOMMENDED ACTION			
Approve Second Reading of Ordinance No. 1659, authorizing a Conditional Use Permit for a rehabilitation hospital at Lake Pointe Tract C, Reserve D.			

EXECUTIVE SUMMARY

This item is a Public Hearing and proposed first reading for a Conditional Use Permit (CUP) from Remington Medical Resorts to develop a facility to accommodate patients for short-term stay physical rehabilitation in the Business Office (B-0) district at Lake Pointe. The 2.45 acre vacant property is located on Creek Bend Drive in Lake Pointe Tract C Replat, Reserve D, to the immediate southeast of the existing Fluor company office complex.

The Planning Department has conducted an analysis of the proposal and additional details, including a conceptual site plan, are contained within the report. The proposed CUP does not appear to pose use or intensity issues, and is not in conflict with the Comprehensive Plan. In addition, there are no regular ambulance aspects that could pose a concern for adjacent uses.

This item went before the Planning and Zoning Commission for a Public Hearing on October 9, 2007 where no significant concerns were expressed. The Commission voted unanimously to recommend approval of the requested CUP to the Mayor and City Council on October 25, 2007. Supplemental information is attached.

File No. 8767

CC: Mark Fritz, mfritz@remingtonrr.com and Don Janssen, donj@pcdltd.com

EXHIBITS

STAFF REPORT

DEVELOPMENT CODE PROVISIONS FOR CONDITIONAL USE PERMITS:

Sec. 2-22. Standard of Review

In reviewing the application, the Commission and Council will consider the impact the proposed use would have on surrounding premises and the community, including traffic, noise, and property values; any conditions or restrictions that could mitigate any adverse impact; and other matters that are relevant to a determination of whether the use would be a compatible and appropriate use of the premises.

Sec. 2-23. Conditions

The Commission may recommend, and the Council may impose, reasonable conditions and restrictions in the granting of a permit to mitigate any adverse impacts of the proposed use. The conditions must be specified in the ordinance approving the permit.

GENERAL SITE INFORMATION AND ANALYSIS:

The following is a summary of general site information:

Adjacent Zoning	North:	Fluor PD (1983)
	South:	Business Office (B-O)
	East:	Business Office (B-O)
	West:	Fluor PD (1983)
	Site:	Business Office (B-O)
Adjacent Land Use	North:	Fluor Daniel Complex
	South:	Vacant and Brooks Lake
	East:	Vacant
	West:	Fluor Daniel Complex
	Site:	Vacant

ANALYSIS:

Case Overview:

Remington Medical Resort of Sugar Land, LLC has submitted a request for a Conditional Use Permit to develop a medical rehabilitation center in Lake Pointe. The 2.45 acre site is located in Lake Pointe Tract C Replat, Reserve D. The site, now vacant, was previously a secondary parking lot for the Fluor Daniel office complex; the parking lot has since been demolished and new parking is being added on Fluor property. The site is located within the Business Office (B-0) District, which requires a Conditional Use Permit for use as a Rehabilitation Hospital, which is classified as Skilled Nursing Care (SIC Code #8051) and Specialty Hospital (SIC Code #8069, except Drug Addiction and Alcoholism rehabilitation hospitals). The facility will accommodate patients that require short-term rehabilitation therapy after being released from the hospital. According to information provided by the applicant, some of the patient medical conditions which the facility cares for are:

- Orthopedic surgery and joint replacement
- Stroke
- Diabetes
- Head Injury
- IV Therapy
- Wound care
- Pulmonary diseases, including pneumonia
- Post-operative observation
- Plastic surgery recuperation

The applicant has indicated that the facility will include 60 beds, where patients typically stay for 15 to 18 days to receive treatment. During a standard shift, there will be approximately 33 staff working at the facility. The facility will be a two-story building with approximately 42,000 square feet. The location within the Business Office District requires the building to meet the city building finish standard ratio of 85% Primary Materials of either brick, glass, or stone. The property is surrounded by the Lake Pointe PD to the northwest, and Business Office (B-0) to the north, east, and south. There are a number of medical office uses nearby in the General Business (B-2) portion of the Lake Pointe development, on the opposite side of Fluor Daniel Drive. The proposed use appears to be consistent with adjacent zoning and surrounding land uses.

Parking and Traffic Circulation:

The conceptual site plan shows 63 parking spaces, meeting the requirement for hospitals under the Development Code (which uses number of beds and number of employees to calculate required parking). The facility will access Creek Bend Drive, which will be a private road in this area of Lake Pointe. The applicant has submitted a technical memorandum as an addendum to the original Traffic Impact Analysis for the Lake Pointe development. The memorandum indicates that, with the rehabilitation center, the trip generation for the Tract C land uses is still within the limits estimated in the original study, and that the conclusions from the original TIA are still valid. Staff has also examined the question of anticipated emergency ambulance services and the applicant indicated that there would be very few emergency calls to the facility, and a low impact to the area, unlike a general hospital facility. In addition, Remington Medical Resorts provides a van service for patients to the facility from the hospital, and back home when the patient is released. The applicant has indicated that the majority of patients utilize this amenity that is paid for as a part of their stay at the facility.

Compatibility with General Plan and Comprehensive Plan:

The use of this site as a rehabilitation facility appears to be in compliance with the approved General Plan for Lake Pointe. The Lake Pointe General Plan indicates that the use for this area will be Office—B-0. A rehabilitation facility is allowed with a Conditional Use Permit in the Business Office district and the intensity of the proposed land use appears compatible with the potential surrounding office uses. In addition, the proposed use is not in conflict with the Comprehensive Plan.

PUBLIC HEARING:

As required under Chapter Two, Article I of the Development Code and state law, a hearing notice for this item was published in a newspaper of general circulation and property owners within 200' of the site were sent notices. Notice was posted on the City of Sugar Land Internet Home Page as well. At the time of this report, staff has not received any inquiries regarding the CUP case.

PLANNING AND ZONING COMMISSION ACTION:

As stated in the Executive Summary, the Planning and Zoning Commission first reviewed the case at a Public Hearing Meeting conducted on October 9, 2007. There were no members of the public that spoke with regard to the project. On October 25, 2007, the Commission voted unanimously to recommend approval of the CUP based on the proposed layout plan..

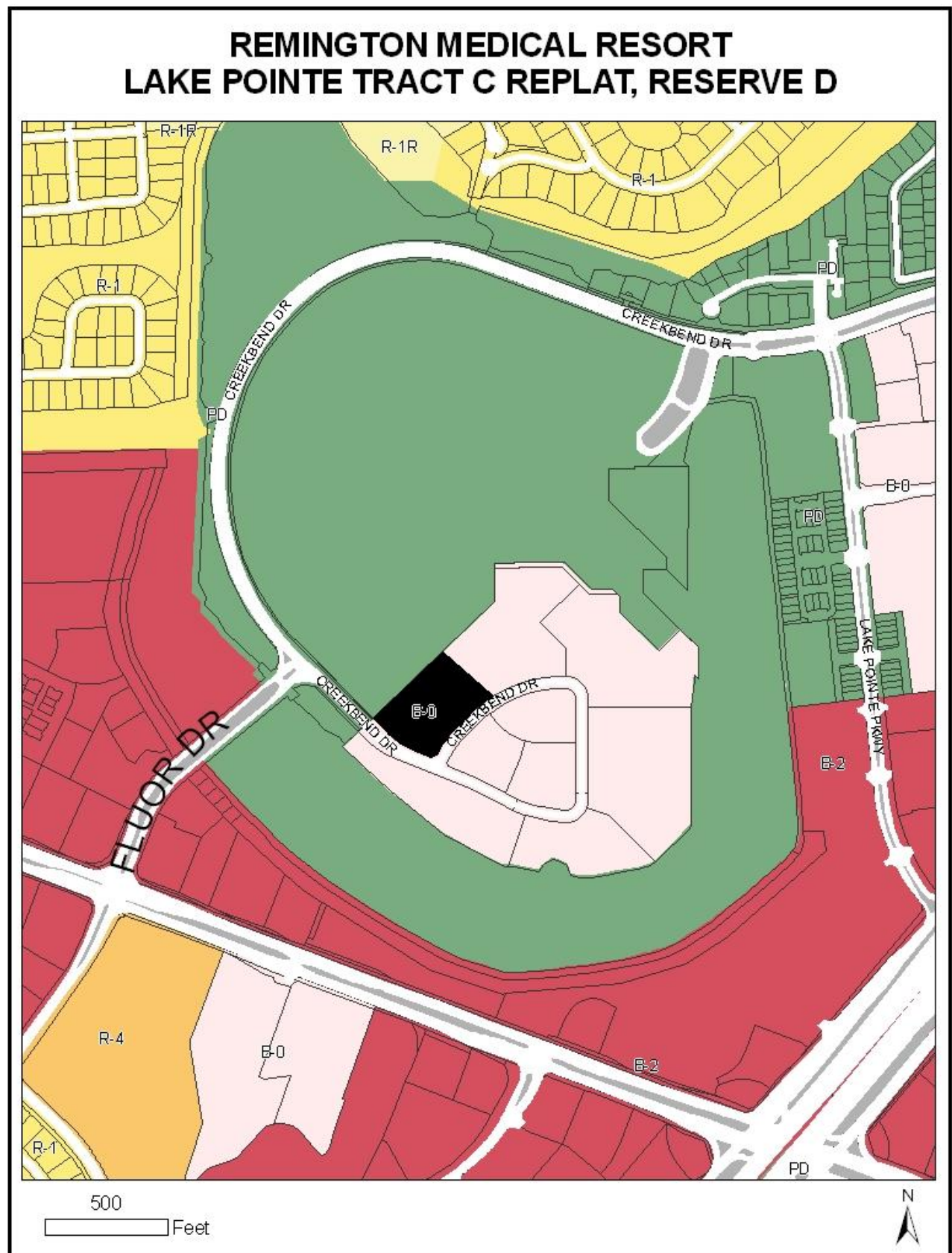
POINTS FOR CONSIDERATION:

- Site appears well-suited for proposed use due to low intensity and compatibility with proposed and existing surrounding office uses
- Use is in accordance with the approved General Plan for Lake Pointe
- Use is not in conflict with Land Use Plan or other provisions of Comprehensive Plan

PROPOSED CONDITIONAL USE PERMIT (CUP) PROVISIONS:

- Use: Short-term Rehabilitation Hospital (SIC Code No. 8051 Skilled Nursing Care and SIC Code No. 8069 Specialty Hospital, except Drug Addiction and Alcoholism Rehabilitation Hospitals)
- Developed in accordance with Conceptual Site Plan
- Condition: Maximum number of beds will be 60

Vicinity Map:



Aerial:

REMINGTON MEDICAL RESORT LAKE POINTE TRACT C REPLAT, RESERVE D



500

Feet



Site Photos:

View looking north:



View looking northeast:



View looking east:



View looking south:



ORDINANCE NO. 1659

AN ORDINANCE OF THE CITY OF SUGAR LAND, TEXAS, GRANTING A CONDITIONAL USE PERMIT FOR A SHORT-TERM REHABILITATION FACILITY IN A BUSINESS-OFFICE DISTRICT.

WHEREAS, Remington Medical Resort of Sugar Land has applied for a conditional use permit to operate a short-term rehabilitation facility in a Business-Office (B-O) zoning district for the real property located on Creek Bend Drive in Lake Pointe Tract C Replat, Reserve D; and

WHEREAS, the Planning and Zoning Commission recommends the permit be approved; NOW, THEREFORE;

**BE IT ORDAINED BY THE CITY COUNCIL
OF THE CITY OF SUGAR LAND, TEXAS:**

Section 1. That a conditional use permit to operate a short-term rehabilitation facility (SIC 8051, Skilled Nursing Care and SIC No. 8069, Specialty Hospital except Drug Addiction and Alcoholism Rehabilitation Hospitals), is granted for the property, being all of the property described in Lake Pointe Plat C Replat, Reserve D, as recorded on August 31, 2007 in the Fort Bend County Plat Records File No. 20070210 and as shown in Exhibit A, attached to and incorporated into this ordinance by reference.

Section 2. That the permit is subject to the following condition:

- (1) The facility will include a maximum number of 60 beds.

Section 3. That the premises will be developed, operated, and maintained in accordance with the ordinances of the City of Sugar Land and in accordance with the site plan dated August 27, 2007 shown in Exhibit B, attached to and incorporated into this ordinance by reference. If there is a conflict between a provision of this ordinance and a provision of the Code of Ordinances or the Sugar Land Development Code, the more stringent provision controls.

Section 4. That any person found guilty of intentionally violating this ordinance will be fined not more than \$2,000 for each offense.

APPROVED on first consideration on _____, 2007.

ADOPTED upon second consideration on _____, 2007.

David G. Wallace, Mayor

ATTEST:

Glenda Gundermann, City Secretary

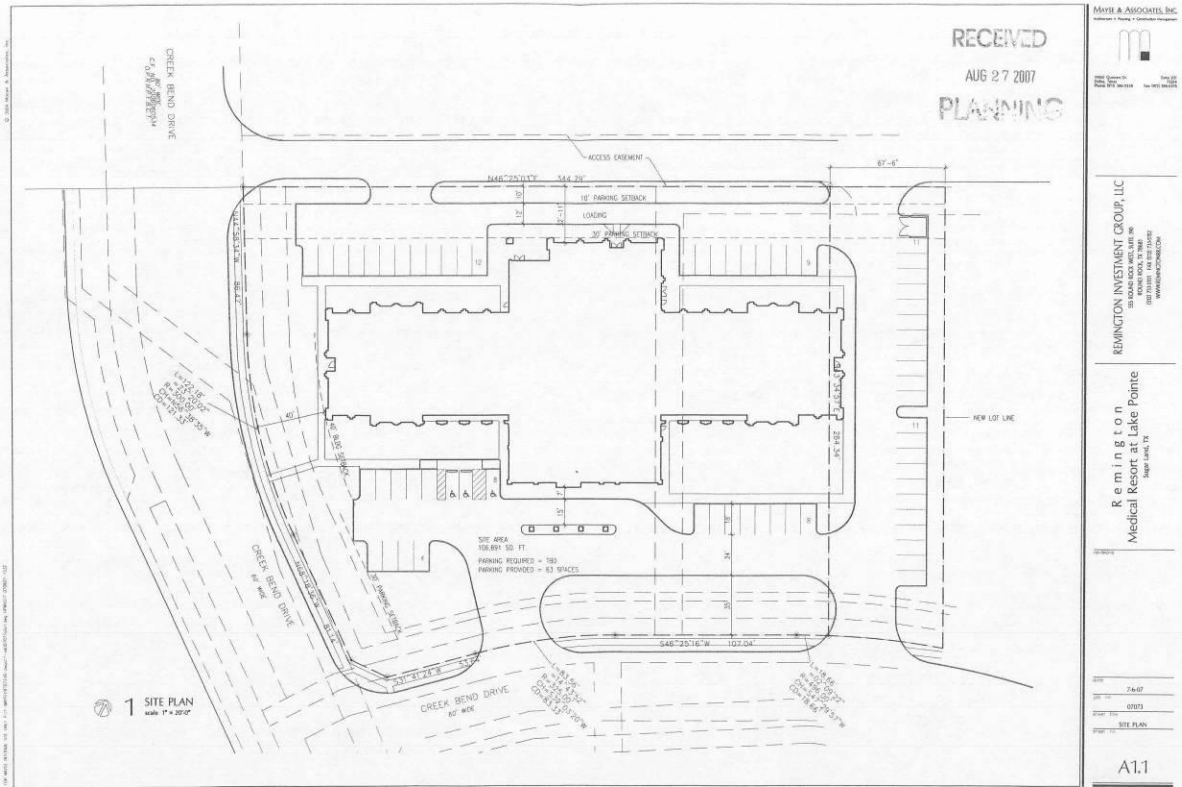
Reviewed for Legal Compliance:

Meredith Wilganski

Attachments: Exhibit A – Description of Property
Exhibit B – Conceptual Site Plan

Exhibit A - Excerpt from Recorded Map

Exhibit B - Conceptual Site Plan, 2007:



Correspondence (page 1):



PLANNED COMMUNITY
DEVELOPERS

LTD.

Planned Communities and Commercial Development

August 27, 2007

Mr. Doug Schomburg
City of Sugar Land
P.O. Box 110
Sugar Land, TX 77487-0110

RE: Remington Rehab Investment Group Conditional Use Permit Request

Dear Doug:

Planned Community Developers, Ltd. ("PCD") is currently working with Remington Rehab Investment Group ("Remington") on their purchase of a 2.45 acre site in the Lake Pointe Town Center development. Remington is developing an upscale two-story, 60 bed facility with all private rooms to accommodate short-term stay rehab patients. Mark Fritz, Chief Executive Officer, who has a long history of developing skilled nursing facilities, has assembled a team of healthcare professionals with more than 158 years combined experience to develop these upscale rehab facilities across the state. They will be developed under the subsidiary name, Remington Medical Resorts.

The site is located in a B-O zoning district, which allows facilities with overnight stay requirements only with a conditional use permit. The building is approximately 42,000 square feet with 63 parking spaces. The parking count was programmed to meet the City of Sugar Land design standards for overnight facilities, which is termed "hospitals". Remington is working with the First Colony Community Association on a site plan and elevation, which will be used in the public hearing. A site plan is included which describes the site layout, building size and parking spaces provided.

Included in this package is a Traffic Impact Study prepared by Don Glenn with Reynolds, Smith and Hills, Inc. ("R S & H") which is an update of the original traffic impact analysis prepared for the overall 190 acre Lake Pointe development back in March, 2004. You will see that the result of this and other facilities planned for this 28 portion of the 190 acre site have actually reduced the overall trip generation originally anticipated for this area. What is included is a draft of the final copy which will be delivered later today.

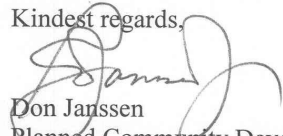
As master developer of the 190 acre development, we feel that this use is compatible with the surrounding area and due to the upscale development materials and the need for a facility of this type for this community will result in this facility having a very positive impact on this development and the community as a whole.

RECEIVED
AUG 27 2007
PLANNING

Correspondence (page 2):

After reviewing this submittal, please call with any questions or comments or should you need additional information. Also, please let us know once you have a confirmed meeting schedule. We appreciate your consideration of this request.

Kindest regards,

A handwritten signature in black ink, appearing to read 'Don Janssen', is written over the typed name.

Don Janssen
Planned Community Developers, Ltd.
281-242-2000

Public Hearing Notice:

NOTICE OF PUBLIC HEARING

NOTICE OF PUBLIC HEARING REGARDING A REQUEST FOR A CONDITIONAL USE PERMIT FOR A REHABILITATION HOSPITAL IN THE BUSINESS OFFICE (B-O) DISTRICT, RESERVE D WITHIN PROPERTY PLATTED AS LAKE POINTE TRACT C REPLAT, FBCC PLAT FILE NO. 20070210, FURTHER IDENTIFIED AS PROPERTY LOCATED DIRECTLY TO THE SOUTHEAST OF THE EXISTING FLUOR CORPORATION OFFICE COMPLEX, LOCATED IN THE S.M. WILLIAMS LEAGUE, A-97, FORT BEND COUNTY, TEXAS.

PURPOSE: One (1) public hearing shall be held at which all persons interested in the proposed conditional use permit (CUP) request shall be given an opportunity to be heard.

WHERE: CITY OF SUGAR LAND CITY COUNCIL CHAMBER
CITY HALL
2700 TOWN CENTER BOULEVARD NORTH
SUGAR LAND, TEXAS

WHEN: CITY OF SUGAR LAND
CITY COUNCIL MEETING
6:00 P.M., DECEMBER 4, 2007

DETAILS OF THE PROPOSED CONDITIONAL USE PERMIT MAY BE OBTAINED BY CONTACTING THE CITY OF SUGAR LAND PLANNING OFFICE AT (281) 275-2218 OR BY EMAIL AT PLANNING@SUGARLANDTX.GOV. THE PLANNING OFFICE IS OPEN MONDAY THROUGH FRIDAY FROM 8:00 A.M. TO 5:00 P.M., AND IS LOCATED AT CITY HALL, 2700 TOWN CENTER BOULEVARD NORTH, SUGAR LAND, TEXAS. PLEASE CONTACT US IF YOU WISH TO SET UP AN APPOINTMENT TO GO OVER ADDITIONAL DETAILS IN PERSON.